

STUART I. BLOCK (STATE BAR NO. 160688)  
 sblock@coxcastle.com  
 PERRY S. HUGHES (STATE BAR NO. 167784)  
 phughes@coxcastle.com  
 COX, CASTLE & NICHOLSON LLP  
 555 California Street, 10th Floor  
 San Francisco, CA 94104-1513  
 Telephone: (415) 392-4200, Facsimile: (415) 392-4250

Attorneys for Plaintiff  
 UNIVERSAL PARAGON CORPORATION and  
 SUNQUEST PROPERTIES, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

UNIVERSAL PARAGON CORPORATION, a  
 Delaware corporation; and SUNQUEST  
 PROPERTIES, INC., a California corporation,

Plaintiffs,

vs.

INGERSOLL-RAND COMPANY LIMITED, a  
 Bermuda corporation; INGERSOLL-RAND  
 CORPORATION, a New Jersey corporation;  
 SCHLAGE LOCK COMPANY, a California  
 corporation; and TOUCH-PLATE  
 INTERNATIONAL, INC., a California  
 corporation,

Defendants.

AND RELATED COUNTERCLAIM

Case No. CV-05-3100 TEH

**STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE;  
~~PROPOSED~~ ORDER**

Date: September 21, 2009  
 Time: 1:30 P.M.

Proposed Date: December 14, 2009  
 Time: 1:30 P.M.

The parties, Plaintiffs Universal Paragon Corporation and Sunquest Properties, Inc.  
 (collectively "Plaintiffs") and Third Party Defendant Union Pacific Railroad Company, ("Union  
 Pacific"), hereby stipulate, subject to the Court's approval as provided below, to a continuance of the  
 Case Management Conference scheduled for September 21, 2009, so that they can continue in good  
 faith to pursue settlement discussions. To date, the parties have exchanged of information from

1 environmental professionals, including the Plaintiffs' proposed Remedial Action Plan ("RAP"), which  
 2 Plaintiffs contend helps to define the amount in Controversy. The Parties had continued the Case  
 3 Management Conference so that Plaintiff could receive approval of the RAP from the California  
 4 Department of Toxic Substances Control and so that counsel for Union Pacific could complete a  
 5 lengthy trial. The Parties have been unable to enter meaningful settlement negotiations as Plaintiff  
 6 just received approval of the RAP on September 8, 2009, and counsel for Union Pacific is just now  
 7 completing the fifth month of a lengthy trial. Accordingly, the Parties stipulate to, and request that the  
 8 Court, continue the Case Management Conference to December 14, 2009, at 1:30 p.m., or such other  
 9 date and time thereafter that is convenient to the Court so that they can resume settlement  
 10 negotiations.

11 Respectfully submitted,

12 DATED: September 14, 2009

COX, CASTLE & NICHOLSON LLP

14 By: /s/ Perry S. Hughes

Perry S. Hughes, Attorney for  
 Plaintiffs UNIVERSAL PARAGON CORP. and  
 SUNQUEST PROPERTIES, INC.

17 DATED: September 14, 2009

BARG COFFIN LEWIS & TRAPP LLP

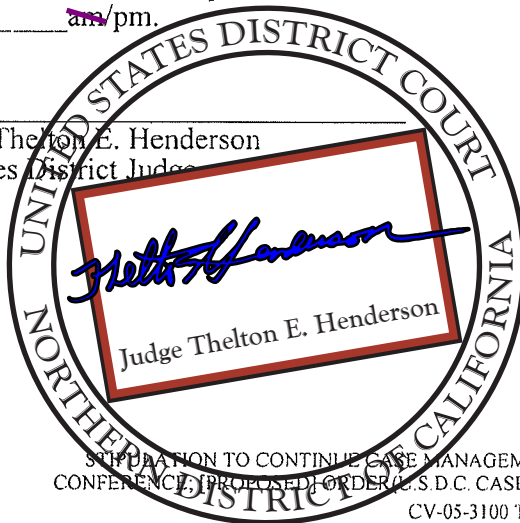
19 By: /s/ John F. Barg

John F. Barg, Attorney for Counter-Defendant  
 Union Pacific Railroad Company

21 IT IS ORDERED that the Case Management Conference scheduled on September 21, 2009, is hereby  
 22 continued to 12/14, 2009 at 1:30 ~~am~~/pm.

23 Dated: September 15, 2009

24 Honorable Thelton E. Henderson  
 United States District Judge



STIPULATION TO CONTINUE CASE MANAGEMENT  
 CONFERENCE (PROPOSED ORDER U.S.D.C. CASE NO.  
 CV-05-3100 TEH)